

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:13-cr-00204-MOC

UNITED STATES OF AMERICA,)
)
)
)
Vs.)
)
CARL ANDREW BOGGS III,)
)
)
Defendant(s).)

THIS MATTER is before the court on defendant's Motion for Facility Recommendation.

Defendant asks the court to recommend "FCP-Edgefield" [sic] inasmuch as that is the closest facility that offers a RDAP program. The court has inquired of the government and it has advised the court that it does not intend to respond to this request.

While it gives some consideration to placement recommendations of sentencing courts, the Bureau of Prisons is in no way obligated to follow the court's recommendation. The court is informed that a recommendation of close placement is translated by BOP to mean "within 500 miles." Hearing no objection from the government as to a placement recommendation, the court will, however, recommend placement at FCI Edgefield as it is the closest facility that offers a RDAP program.

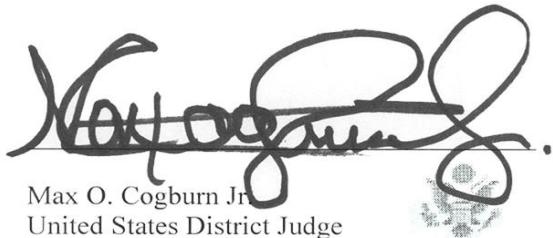
Finally, the court determines that defendant's Substance Abuse Assessment (#251) has been properly sealed as it contains sensitive medical information of defendant and others and that no lesser means other than sealing will protect that information. Such seal is hereby lifted only insofar as BOP may need access to such report for purposes of classification and determination of whether defendant does in fact qualify for RDAP. The court, however, reaffirms its sentencing

recommendation that defendant participate in RDAP as the assessment indicates serious alcohol dependence that could be helped through therapy.

ORDER

IT IS, THEREFORE, ORDERED that defendant's Motion for Facility Recommendation (#250) is **GRANTED**, and the court recommends to the Bureau of Prisons that defendant be placed at FCI Edgefield inasmuch as it is the closest facility that offers RDAP.

Signed: December 17, 2015

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", is written over a horizontal line. To the right of the signature is a small, circular, textured seal or stamp.

Max O. Cogburn Jr.
United States District Judge